

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RALPH EGMUND HARALD FRISCH,

Defendant.

) INDICTMENT

) (42 U.S.C. § 408(a)(4))

) (42 U.S.C. § 408(a)(3))

CR 11-74 DWF/JSM

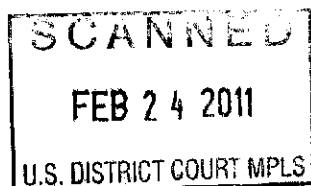
THE UNITED STATES GRAND JURY CHARGES THAT:

1. At all times relevant to this Indictment, the defendant, **RALPH EGMUND HARALD FRISCH**, resided within the State and District of Minnesota.

2. On or about September 30, 2002, defendant filed a claim for disability benefits with the Social Security Administration. This claim was denied.

3. Defendant filed a written request for a hearing on his disability claim on or about June 2, 2003, and hearing was held on January 28, 2004. Defendant testified at the hearing that he was disabled due to an ankle injury. He claimed that he needed to use a cane to walk on even surfaces, and that he needed a walker to walk on uneven surfaces. Based in part on defendant's testimony, on May 18, 2004, the administrative law judge found that defendant was disabled. Defendant began receiving benefits in the amount of approximately \$1,400 per month.

4. In October 2004, a private investigator observed defendant doing roofing work on a home in Minneapolis. Over several days,



FILED FEB 24 2011
RICHARD D. SLETTEN
JUDGMENT ENTD _____
DEPUTY CLERK _____

United States v. Ralph Egmund Harald Frisch

defendant was observed working on the home. In particular, defendant was observed going up and down a ladder, working with an electric saw and pitchfork, and putting new shingles on the roof. At no time was defendant observed using a cane or a walker, and defendant displayed no sign of injury. Defendant's work on the home was recorded by video surveillance.

5. After learning of the video surveillance, the Social Security Administration - Office of the Inspector General ("SSA-OIG") began investigating this matter. On or about February 1, 2008, an agent with SSA-OIG interviewed defendant. During the interview, defendant admitted that he had worked for a temp service called Labor Ready from 2004 through 2006, doing jobs such as shoveling snow, making pizzas, and setting up tables. Defendant also admitted that he did roofing jobs and when confronted with the fact that there is video of him doing roofing work, stated that he had done the physical part - but claimed that he did not do so on a regular basis. Investigators also obtained evidence that defendant worked various painting and roofing jobs from May 2003 through September 2003, at the same time that defendant was applying for benefits, claiming that he was disabled.

6. SSA-OIG referred this matter to the Office of Disability Adjudication and Review ("ODAR"). On or about September 23, 2008, a supplemental hearing was held. On October 17, 2008, defendant's

United States v. Ralph Egmund Harald Frisch

benefits were terminated. It was found that defendant had not been candid with ODAR, and his testimony regarding his symptoms and ailments was disregarded. It was determined that defendant was not disabled, and an overpayment of approximately \$86,160 was posted to his record.

COUNT 1

(Concealment from Social Security Administration)

7. The Grand Jury realleges the allegations of paragraphs 1-6 of this Indictment and makes them part of this Count.

8. From in or about September 2002, and continuing to the present, in the States and District of Minnesota, the defendant,

RALPH EGMUND HARALD FRISCH,

with the intent to fraudulently secure payments that were not authorized or were in a greater amount than were due him, did knowingly conceal from and did fail to disclose to the SSA his true physical condition and capabilities, his employment, and his ability to engage in work activity, knowing that these facts affected his initial and continued right to receive disability benefits, all in violation of Title 42, United States Code, Section 408(a)(4).

COUNT 2

(False Statement to Social Security Administration)

9. The Grand Jury realleges the allegations of paragraphs 1-6 of this Indictment and makes them part of this Count.

United States v. Ralph Egmund Harald Frisch

10. On or about January 28, 2004, in the State and District of Minnesota, the defendant,

RALPH EGMUND HARALD FRISCH,

knowingly and willfully did make and cause to be made a false statement and representation of material fact for use in determining rights to disability payments, by falsely stating that he was unable to walk without the use of a cane or walker, and was unable to work, all in violation of Title 42, United States Code, Section 408(a)(3).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON